

# **RULES AND REGULATIONS**

**WATER AND SANITARY SEWER SYSTEMS**

**AND**

**BILLING PROCEDURES**

**CITY OF TROY, OHIO**

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## **SECTION 1. Purpose**

The purpose of these Administrative Rules, hereinafter “Rules,” is to provide City of Troy, hereinafter “City”, staff and the City’s customers with easily accessed, written guidance on certain policies and procedures dealing with water and sewer matters and on utility service billing. These Rules do not replace or modify the Troy Codified Ordinances but are instead authorized by Troy Codified Ordinance Chapters 913 and 915 to act as supplements to the requirements as contained within the respective Water and Sewer Use Ordinances of the Troy Codified Ordinances.

Customers with specific questions dealing with any policy or procedures should contact the City directly.

## **SECTION 2. Definitions**

The following terms as used in these Rules are defined as:

“Application” means a signed document entered into between a customer for water and/or sewer service and the City, providing account information and responsibilities of the customer.

“Backflow Prevention Device” means the approved device for backflow prevention as defined in Ohio Administrative Code 3745-95.

“Billing and Collection Office” means the work unit of city employees assigned duties to bill and collect water and sewer charges and other fees from customers of the City’s water and sewer systems. This office also collects other fees for services within the City’s operations.

“City” means the Director of Public Service and Safety of the City of Troy, Ohio, or his or her designee.

“Cross connection” means any arrangement whereby the flow of water or other liquids, mixtures or substances into the public water system, from any source other than the City source of the public water system, can occur.

“Curb stop” means a valve installed between the water main and a water meter, normally used by the City to turn water service on and off to a property as required.

“Director” means the Director of Public Service and Safety, or his or her designee.

“Main sewer” (or sewer main) means the City’s sanitary sewer pipe owned and maintained by the City to collect and drain sewage from buildings.

“Meter box” means the subsurface structure that houses a water meter, protecting the meter from damage and allowing the City easy access to the meter for maintenance, investigation, or reading. All new installations shall be exterior meter sets, or meters located in vaults or boxes approved by the City. Meters 5/8” through 1” shall be installed in meter pits typically supplied as a part of the tap-in fees; meters 1 ½” and larger shall be in concrete vaults with reinforced aluminum “Bilco” brand pit access doors meeting the approval of the City for size, placement and style.

“Municipal-Industrial Pretreatment Program” (MIPP) is the pretreatment program regulating industrial pretreatment of wastewaters prior to discharge to the City’s sanitary sewer system under all applicable Federal, State (OEPA) and local (City) discharge requirements.

“OEPA” is the Ohio Environmental Protection Agency.

“Pretreatment Program” – see “Municipal Industrial Pretreatment Program” above.

“Property owner” shall refer to the property owner signing the appropriate contracts with the City for service. The property owner shall be responsible for notifying, in writing, the City of any change of record of ownership.

“Service Charge” refers to the charge assessed to a utility bill account when it remains unpaid after the deadline presented on a notice of possible disconnection of service. This service charge is assessed regardless of whether or not an actual disconnection of service occurs.

“Sewer lateral” means the sanitary sewer line installed and maintained by the property owner and connecting a building’s sanitary plumbing system to the main sewer, including the tap into the main sewer, and used to convey wastewater to the main sewer.

“Sewer main” – see Main Sewer.

“Temporary Purpose” refers to a temporary use of water provided through a temporarily installed service line and meter installed and used in accordance with City requirements. Such uses may include, but are not limited to, contractor use during construction; temporary irrigation; brick mason work, and other uses.

“Tenant” refers to the person(s) who have entered into a lease agreement, either written or oral, with a property owner / landlord for occupation of property.

“Troy Codified Ordinances” (also referred to as “TCO”) are the written laws of the City.

“Water emergency” means an emergency state or condition exists, as declared by the Director, under which certain water use restrictions have been ordered to minimize the degree and/or length of emergency situation.

“Water main” means the City’s potable water main or pipe owned and maintained by the City to distribute water from the Water Treatment Plant to City water customers.

“Water service line” means the potable water line installed and maintained by the owner of a given property to carry water from the water main to the building or other use on the property.

### **SECTION 3. Service Contracting**

- A. Rules a Part of Contract. These Rules shall be considered a part of the contract of every person, company, or corporation that is supplied with water or sanitary sewer by the City. The Director reserves the right to alter, amend or add to the rules as needed.
  
- B. Application for Service. Every person, company or corporation desiring water or sanitary sewer service hereunder shall make an application for service, in writing, on a form supplied by the City.
  - i. A "Utility Contract for Owner Occupied Property" must be completed for each service. If the bill for water is to be paid by another person other than the property's owner, a "Utility Contract for Tenant Occupied Property" must also be completed. An acceptable proof of identification must be presented at the Billing and Collection Office. Acceptable proof of identification includes a photo ID, such as a driver's license or state ID card. Any adult sharing the living space (for tenant occupied property) must present acceptable form of identification and be listed on the contract. In addition, a copy of the lease agreement must be provided. For owner occupied property only, a married couple (with no other adults sharing the living space) may have just one person complete the application process and present acceptable proof of identification. In addition, one of the following must be provided:
    - a. Copy of deed showing property ownership in the name of the applicant(s);
    - b. Copy of closing papers from title company showing property ownership in the name of the applicant(s);
    - c. If the property has not yet closed, a copy of the accepted Contract to Purchase showing the name(s) of the intended purchaser(s) of the subject property.
  
  - ii. Each application must be made at the Billing and Collection Office, after which water will be turned on only by an authorized employee of the City. The applicant for water shall agree to comply with all the laws, rules and regulations pertaining to the use of water and sewer.
  
  - iii. Application for water service to a property with an existing water meter must be made by the intended consumer. If the consumer is not the owner of the premises, an "Indemnification Agreement", executed by the property owner, must be on file in the Billing and Collection office before the water service will be turned on.

- C. **Seasonal Disconnections and Reconnections.** Consumers planning vacations or seasonal absences may avoid penalties if they notify the Billing and Collection Office a minimum of two weeks in advance of departure. Advance notice of return for reconnection, or notification of the Office upon return during normal working hours is required to facilitate Service reconnection. Use of the seasonal disconnect voids the “summer sewer average” for that property location. Seasonal disconnection of service will still result in regularly scheduled billings for stormwater and residential refuse and recycling charges. Seasonal disconnection and reconnection will result in charges as outlined in Section 7, Miscellaneous Fees.
- D. **After-hours Reconnections.** Requests made for reconnection outside the normal office hours will be subject to the assessment of an overtime service call fee. See Section 7.
- E. **Service Not Approved.** No water or sanitary sewer service will be supplied to any consumer, nor will an application be granted, where it is documented that such consumer is indebted to the City for water and/or sewer services supplied, work done, materials furnished, other fees and/or for penalties applied. These rules shall apply whether such indebtedness was incurred at the premises for which service is supplied, or contracted for at any other property provided with water by the City by said consumer.
- No water or sanitary sewer service will be supplied to any property, nor will an application be granted for new water or sanitary sewer service to any property, for which there are any past due water, sewer, or other charges owed to the City.
- F. **Metered Service Required.** Water will be furnished only through metered service. Such metered service shall meet the approval of the City personnel.
- G. **Unoccupied Property.** Where the City finds a property unoccupied, the City may cause the water service to such property to be turned off. The City assumes no liability for performing this preventive maintenance service.
- H. **Indemnification Agreements – Property Owner’s Obligation.** Every Property Owner shall, upon application of his tenant, pursuant to these Rules, enter into an Indemnification Agreement with the City on a form approved by the City. The property owner must sign this Indemnification Agreement as guarantor for the water, sewer, and other fees, charges, or bills for each premise such property owner does own.
- I. **Property Owner’s Responsibility for Contracts.** Should a property owner fail to appear at the office of Billing and Collection to sign appropriate contract forms for service within five days from the property transferring into their name, the City may disconnect water service at subject property until the property owner enters into the proper contract for service with the City, regardless of whether or not the billing for service is in the name of a tenant or the previous property owner. Without proper contracts and indemnification agreements, service may be disrupted. Failure to enter into proper agreements does not absolve the property owner of record for responsibility for any billing on subject property.

J. Property Owner's Responsibilities for Sub-Contracts

- i. Responsibility. Property owners are responsible for water and sewer services provided to their property. No water will be furnished to premises on which arrearages are due, whether or not there has been a change of ownership, possession, or tenant.
- ii. Liability. Any property owner installing or maintaining a water service connection for his premises becomes liable to the City for all water, sewer, and other fees, charges, use and service charges, whether the account for this premises is carried in his own name or in that of another.
- iii. Owner to be Notified. Should a problem develop in collecting from a tenant at any premises where there are multiple units that are supplied by a single water meter, the City will notify the property owner and the bills shall revert to the owner's name and be sent directly to the property owner. If the premises would subsequently be modified with individual service lines (with separate outside shut-offs for each service line) and metering, the bills may be replaced in the tenant's name.
- iv. Owner is responsible. Should a problem develop in collecting from a tenant at any premises where there is a single line of service entering the property, but where separate meters exist inside the building, the City will notify the property owner and the bills shall revert to the owner's name and be sent directly to the property owner.

K. Office Hours and Payments. The Billing and Collections office shall normally be open from 8:00 a.m. to 5:00 p.m. except on Saturdays, Sundays, and City's recognized legal holidays. The office is located in the Municipal Building, 100 S. Market St., First Floor, Troy, Ohio 45373.

L. Dishonored Checks. Customers who pay by check are hereby advised that there shall be a penalty charge assessed to their account automatically in addition to all other applicable fees and charges when their financial institution has not honored their check for any reason whatsoever. Dishonored checks written by a third party (a check written on an account that is not in the customer's name) for the payment of utility charges are treated as if written by the customer. The City reserves the right to discontinue acceptance of payment by check when a customer has written more than one dishonored check to the City. This section also applies to any payment submitted either electronically or by electronic funds transfer to the City, and the payment is rejected as unpaid by a financial institution for any reason whatsoever.

M. Application for New Water or Sewer Service Connection. Any property owner desiring the installation of a new water or sewer service into his premises shall make application for it in the Office of the City Engineer. All work must be completed by a plumber registered to perform work in Miami County. Every application shall be made in the name of the property owner, who thereby agrees to comply with all the Rules pertaining to the installation and use of water service

and sewers in the city. The office of the City Engineer is located in City Hall, (Municipal Building) on its 1<sup>st</sup> floor. All applicable fees shall be paid for at the time the application is made. No water meters will be supplied or set or water service turned on until all fees are paid in full and all billing information has been supplied to the Billing and Collection office.

- N. Inspections. Employees of the City whose duty it may be to enter upon private premises to examine water meters, pipes, sewers, or other fixtures used in connection with the City water supply or sanitary sewer systems shall carry proper identification as the Director may deem necessary. In the event that any authorized employee is refused admittance to any premises, or shall be hindered or prevented from making such examination, the water may be turned off and not turned on again until free access is granted. A return trip charge may be assessed as determined by the City.
- O. Expansion of Troy Water System. All attachments, extensions, and improvements made to the water or sanitary sewer system, including but not limited to mains, service lines, valves, meters, fittings, fire hydrants, laterals and manholes, must satisfy all requirements of the City's Subdivision Ordinance and Construction Standards, and all other requirements of the Troy Codified Ordinances.
- P. Water for Temporary Purposes. Temporary water service for contractors or others must first be approved by the City. The City may approve the use of hydrant meters or other temporary water connections for such purposes. In addition, all applicable applications and contracts must be signed by the contractor or person involved, and all fees must be paid as may be required. All water used will be charged at current rates. If it is found that water purchased through a temporary water service will or has been discharged to the sanitary sewer, a sewer use charge will also be calculated and billed to the person on account for such temporary water service.
- Q. Refusal to approve substandard work. The City reserves the right during any installation, renovation or placement project to reject any and all substandard work and/or the contractors or their subcontractors who have proven to perform in any substandard manner on prior work, or the work being inspected, or for using or trying to substitute materials not accepted by the City or not as specified on the project plans.
- R. Costs to be borne by the Property Owner and/or Developer. Any costs incurred by the City beyond the components covered within the tap-in fees and the initial bacteria and pressure testing, or for supplying additional parts, or for repeat inspections, or other non-standard actions required due to the lack of performance of the contractors involved shall be invoiced to the property owner and shall be paid in full to the City prior to obtaining water service at the site, or shall be paid promptly upon written notice by the City or risk having water service terminated by the City at its discretion and timing. The Developer's contractor shall be responsible for flushing all new lines per the City's guidelines prior to bacteria and pressure testing by the City.

## **SECTION 4. Installations**

- A. Installation of Water Service Lines. All Service lines up to the building foundation shall have a covering of no less than forty-eight (48) inches of earth, as measured from the final finish grade of the property. Service lines under gravel or other pavements shall have a minimum of 54" of cover to the top of the pipe to finish grade.
- B. Exterior Meters Required. Outside water meter boxes or pits shall be installed on all new water services. All new residential water services shall incorporate an angle valve in the meter pit, prior to the meter. Customer side angle valve shall be approved by the City and provided by the City, and the cost to the customer will be included in tap fees.
- C. Relocation of Interior Meter. Any meter located inside a structure shall be relocated to an exterior setting when it is deemed that the existing service line is in need of replacement or as determined by the City. Upon approval of the relocation, the City will upgrade its portion of the service line, and the meter relocation fee shall be waived.
- D. Upgrade of Service for Multiple Unit Property. It shall be the policy of the City, that while upgrading an existing service line to a multiple unit property with interior-set water meters, the City will install, in the area of its responsibility, (within the Right-of-Way) one adequately sized service line from the main to the curb lawn with said service line split into not more than two (2) appropriately-sized separate meter pits to serve each unit in the structure. It shall then be the property owner's responsibility to carry the additional supply lines into the structure. Should the property owner not provide additional lines, the meter connected to the existing supply line into the property shall provide the only bill for the premises, and the bill shall be sent directly to the property owner. Existing structures of three units or more with interior-set water meters shall have only one water service, water meter, and the single bill shall be placed in the name of the property owner. At premises where the City has upgraded its area of responsibility, the City may leave the existing water meters in place in the building's interior, at the discretion of City for the property owner to use in proportioning the charges to each of his tenants. Such meters will thereupon become the property of the property owner and his sole cost and responsibility. At the City's discretion, existing inside meters may be left in place rather than disturb interior plumbing or if the setting location does not have adequate work space as deemed necessary by the City, and such meters shall thereupon become the property and responsibility of the property owner with no further liability for same being placed upon the City.

Should the property owner initiate a change from one meter to two interior meters for purposes of separate billing for two tenants, the owner is responsible for

payment of all material costs prior to work being initiated. Any such change will only occur with prior approval of the City.

- E. Property Owner and City Responsibilities on Service Line Installation. The property owner shall make all excavations for the service line from the water main to the building to be served. When the owner has received a permit for and paid all appropriate fees, the City will install a tap in the water main. The owner or his agent shall install the service line from the water main to the building and provide connections for a pit or vault style meter. The location and installation of the water meter pit must meet the approval of the City.
- F. Service Line Materials Required. From the tap at the water main to the meter pit, all water services shall comply with the following requirements:
- i. All water services up to and including two (2) inches in diameter shall be type "K" copper pipe with flare style brass fittings or compression fittings. AWWA Standard C-900 pipe, 200 psi. pipe may be used only on the customer side of the meter pit. If C-900 pipe is used, W-tracer wire must also be installed.
  - ii. All water services in excess of two (2) inches in diameter shall be of approved ductile iron pipe, Class 52 minimum or cement-mortar lined pipe. AWWA Standard C-900, 200 psi pipe may be used only on the customer side of the meter pit. If C-900 pipe is used, W-tracer wire must also be installed.
  - iii. Only flare fittings or compression fittings shall be used for copper service lines.
  - iv. All service lines must be inspected and approved by the City prior to the trench being backfilled.
  - v. Service lines 1-1/2" in diameter or larger shall have meter bypasses incorporated within the meter pit installation meeting the approval of the City.
  - vi. All water service line valves outside of buildings are to be operated only by City personnel, and all new or replacement service lines, fire lines, and irrigation lines are subject to bacteria testing and pressure testing by City personnel.
- G. Minimum Water Service Line Size. All new service lines installed shall be minimum diameter of 1" in size from the water main to the first or main shut-off valve located inside the structure, with reductions taken in approved fittings only in the immediate vicinity of the water meter, allowing for the manufacturers' minimum number of straight-pipe radii multiples from the meter to the first fittings or valves, and subject to City inspections and approval.
- H. Additional Supplies to Premises. Each premise shall normally be serviced by a single water service. Multiple services may be approved by the City.

- I. Services for Two Unit Structures. Structures of two units may have the following combinations:
  - i. One service line from the main with only one meter, and hence one bill.
  - ii. One service line from the main to the curb stop with two (2) meters and supply lines to the structure (2 bills).
  - iii. Two (2) separate service lines with meters (2 bills).
  
- J. Hydrants and Valves. No person, except an authorized agent of the City, shall operate or open any valve, fire hydrant or any part thereof, or take any water from any connection point under any circumstances. Any person damaging a fire hydrant shall, upon demand of the City, pay for all repair costs and expenses.
  
- K. Fire Protection. Application for connection with the City's potable water mains for the purpose of obtaining a supply of water for private fire protection systems must contain full information concerning the installation of same. After review of the information, the City may authorize the connection to be made. All fire protection lines will be installed with the following requirements:
  - i. To properly service fire apparatus, all fire department connections must be within a 75-foot radius of the nearest City-owned or approved private fire hydrant. Installation of additional fire hydrant(s) required within the 75-foot radius shall be the responsibility of the property owner.
  - ii. Each fire line will be installed with a detector check valve with bypass meter installation in a vault located near the water main (typically in Right-of-Way).
  - iii. All fire service lines from water main to customer's side of the fire department connection if located on the building's wall, or to the first flange above the building's interior floor elevation otherwise, will be subject to the inspection, bacteria and pressure testing, and approval of the City.
  - iv. Fire service lines shall be installed by State licensed contractors. Fire service lines will be tested in accordance with NFPA guidelines and be witnessed by a fire department representative. Any fees associated with initial fire line testing shall be the responsibility of the property owner.
  
- L. Fire Protection Fees. Fire line services equipped with either: (1) Detector Check Valve with a bypass water meter, or (2) Detector Check Valve with an electronic flow detection device shall be billed for fire protection at the monthly rate of 50% of the fee for a water meter equal to the size of the fire connection service line/main to the City water system main. Under no circumstances will billing be temporarily ceased or suspended.

- M. Attachment of Wires Forbidden. All customers are forbidden to attach any ground wires or wire to any plumbing which is or may be connected to a service connection, service line, or water main line belonging to the City. Any such grounding as required by the Electrical Code shall be done only by a certified electrician in accordance with the National Electrical Code, and will be at the expense of the property owner. The City will hold the customer liable for any damage to its property or injury to its personnel caused by such attachments improperly made. The presence of improperly attached ground wire attachments may be cause for immediate discontinuance of service to the premises, with service being restored only after such wires are properly removed and addressed to the satisfaction of the City.

## **SECTION 5. Maintenance and Responsibilities**

- A. Maintenance of Water Mains. The City maintains all water mains, valves, hydrants, and other appurtenances dedicated and accepted as part of the public water supply system.
- B. Maintenance by City of portions of the Service Line. For residential property, the City will maintain the portion of each water service line from the water main to the water meter box or pit location, or the portion of the service line from the water main to the curb stop location (for interior water meter settings). The City is responsible for the water main and only that part of the water service line located between the main and the curb stop or exterior meter pit location typically in the street R/W. City will supply only tail pieces and meters for existing interior meter settings with all other interior plumbing the responsibility of the property owner.
- C. Maintenance by Owner of Service Line. All portions of the service line not listed above shall be maintained by the property owner, including the protection of the water meter from freeze/frost damages which will be charged to the property owner by the City should damages occur that are deemed to be the property owner's responsibility. The property owner shall be responsible for all internal plumbing and the water service line located between the building and a curb stop or exterior meter pit (or box) setting location. On commercial or industrial properties, the property owner shall be responsible for the service line from the tapping valve into the property, including maintenance of the pit and valves, but not the meter.
- D. Items Required of Owner. The owner must provide the following:
- i. Stop and waste cocks on interior meter settings.
  - ii. Keep the curb box or meter box at grade with the curb and/or sidewalk or lawn elevations
  - iii. Indemnify the City against any damage or expense caused it by reason of the curb box or meter box being above or below grade. The City may make minor repairs to curb box or meter box if it deems necessary and

such charges may be deemed the responsibility of the property owner for payment.

- E. Leak Repair. Failure of a property owner to repair leaks in the owner's portion of the service line, after being notified by the City to do so, will be sufficient cause for the City to take all necessary steps to cease water service until all necessary repairs have been made to the satisfaction of the City.
- F. Adjustments for Water Leaks. All water that passes through a water meter shall be charged for, whether used or wasted, or lost by leakage as the City produced and pumped the water to the consumer's location.
- G. Written Request for Sanitary Sewer Bill Adjustment Required. Adjustment of excess sanitary sewer bills may be made in the event that water leaks that were undetected and did not discharge to the sanitary sewer system from the subject property are requested by the property owner for City adjustment of the sanitary sewer portion of the bill. Every such request for adjustment shall be made in writing within fifteen (15) days of the billing date (or as soon as reasonably possible after receiving the billing statement), stating why such adjustment should be considered. Failure to make such requests within such time shall constitute admission by the consumer as to the reasonableness of the charges. Adjustment requests based on damage or repair must also show documentation to support that such damage has been corrected or necessary repairs have been made.
- H. Limited Investigation by City. Only limited investigatory assistance will be provided and only at the discretion of the City. Investigation of the property owner's portion of service line is the responsibility of the property owner and/or his plumber.
- I. No Adjustment Due to Negligence. There will be no adjustments made in cases of negligence or inaction on behalf of the property owner when notified of problems found to exist by City personnel, nor in cases of equipment abuse or tampering, nor on delinquent consumer accounts.
- J. Water Supply and Pressure. The City does not guarantee any fixed or constant water service supply pressure or guarantee a continuous supply of water.
- K. Customer Notification of Supply or Pressure Problem. In the case of accidents or other occurrence that may cause the disruption or termination, temporary or otherwise, of the supply and/or pressure of water service to consumers, the City will attempt to notify customers so affected of the situation and its possible duration. Properties using steam boilers supplied directly by City water mains should have ample storage for emergency use.
- L. Indemnification for Loss of Supply or Pressure. The City will be held harmless for damages or loss resulting from a variation or loss of water pressure or supply quantity due to any accident or other circumstance beyond the normal operation and the control of the City.

- M. Relocation. When relocating a service line or meter pit from a driveway location, all parts and work shall meet the approval and inspection of the City, and shall include at a minimum a curb stop to be installed in the driveway location with a curb stop box purchased from the City. The cost of such shall be borne by the property owner. Meters that are relocated for the convenience of the property owner will be at the expense of the property owner, but with prior approval and prior and post project inspections by the City. Meters that are relocated by the City for specific projects (such as roadway improvements) will be done with the cost incurred by the City.
- N. Customer responsible for damage to radio read transmitting device caused by negligence. Any customer who damages a radio read transmitting device due to their action or the action of others, including but not limited to damage caused by operating a lawn mower over the top of a device or damage caused by snow removal or plowing, will be responsible for the cost to replace or repair such device. The cost will include replacement or repair to the Automatic Meter Reading (AMR) system, as determined by inspection by the City. The customer will be invoiced for such repair, and will be given thirty (30) days to remit payment in full. Failure to remit payment in full will result in possible legal action to collect. The cost of such legal action will be the responsibility of the customer, and will be added to any invoiced amount.

## **SECTION 6. Commodity Rates**

Water and Sewer Rates. Minimum charges and commodity charges for water and fire services are contained in Troy Codified Ordinance Chapter 913. Minimum charges and commodity charges for sewer are contained in Troy Codified Ordinance Chapter 915.

## **SECTION 7. Miscellaneous Fees**

Tap fees (water, sewer and fire) and the Service Charge are approved by City Council. Charge for dishonored check is established by Administrative Regulation as provided by the Director of Public Service and Safety.

Other fees are established as follows:

- |    |  |          |
|----|--|----------|
| 1. | Bulk Water Sales Monthly Account Fee   | \$20.00  |
| 2. | Hydrant Meter<br>Set up charges  |          |
|    | 5/8" – 3/4" size*  | \$100.00 |
|    | 3" size*   | \$250.00 |
|    | * - includes wrench, backflow valve and tubing<br>(which must be returned with the meter). |          |
|    | Hydrant Meter Monthly Account Fee  | \$20.00  |

- |    |   |                                  |
|----|---|----------------------------------|
| 3. | Irrigation Meter Set up charge  | \$250.00<br>Plus parts/materials |
| 4. | Customer requested disconnect / reconnect charge<br>(includes Seasonal disconnect / reconnect; irrigation<br>meter disconnect / reconnect, etc.)  | \$25.00 each action              |
| 5. | Return or Repeat Trip Charge  | \$25.00                          |
| 6. | Meter Testing Fee   |                                  |
|    | 2" and less   | \$50.00                          |
|    | Larger than 2"  | By Invoice                       |
|    | Charged whenever a meter testing is requested. If the result of the testing indicates that the meter was not functioning properly or within normal standards, this fee will be credited back to the customer. |                                  |
| 7. | Overtime Reconnection Fee<br>Charged when reconnection of service is requested<br>by customer after normal business hours.  | \$150.00                         |

Any and all fees, whether established by Administrative Regulation or by Council, may be amended from time to time.

**SECTION 8. Penalties**

- A. Disconnection for Non-payment. When an account becomes overdue, and therefore delinquent, the consumer shall be notified in writing by the City of its intent to disconnect water service at the subject premises if the account is not brought fully current before the delinquent payment deadline. The following shall be applicable:
- i. The notification of pending service disconnection shall be mailed to the consumer's address/subject property site approximately 14 days prior to the delinquent payment deadline.
  - ii. Notices of Disconnection clearly indicate the date and time at which the delinquent account must be brought current to avoid incurring the physical act of disconnection of water service at the subject premises.
  - iii. All payments made in response to Notice of Disconnection must be received at the Billing and Collection Office before the delinquent payment deadline. Should full Payment not be received before the deadline on the date shown, all such delinquent accounts shall automatically be assessed

a Service Charge in addition to the arrears amount due on the outstanding bill. Additionally, accounts still in arrears as of the deadline shall be scheduled and physical service disconnection will occur shortly thereafter. No special or additional notice shall be given prior to service disconnection.

- iv. The charge for nonpayment (Service Charge) shall apply and be assessed regardless of whether or not actual disconnection of service occurs.
- B. Reconnection. For accounts brought current after the delinquent payment deadline, including all applicable delinquent bill service fees, water service will be restored as soon as practical.
- C. Reconnection After Normal Business Hours. Reconnection of water service after normal business hours shall be performed only when the customer requests and authorizes such work to be performed by City personnel and agrees to pay all applicable charges at the Billing & Collection Office on the following work day in person. All such reconnections shall incur additional overtime service call charges as established in Section 7, Miscellaneous Fees. Overtime charges will be automatically added to the consumer's account. See Section 7. Failure to appear in person and make the account fully current for all charges and fees will result in service being disconnected a second time, incurring additional fees as may be applicable or deemed appropriate by the City.
- D. Request for Water Reconnection. When water service has been disconnected for any reason whatsoever, a "Request for Water Reconnection" form must be signed by the owner, owner's agent or customer for the City to reconnect service without anyone present at the subject property. Without the written consent of the owner, owner's agent or customer, the City will only reconnect service when a representative of the owner can be on site to check for potential leaks. The representative must be 18 years of age or older. The City assumes no liability for damages to property, persons, fixtures or contents from a reconnection of water service.

## **SECTION 9. Meters**

- A. Meters Furnished. All water meters will be furnished by and remain the property of the City, except as noted in Section 5C. The location of said meter must be approved by the City, and the plumbing must be so arranged that the meter can be set in place without disturbing any other water piping. A uni-flange fitting must be used on at least one side of the meter, and two angle valves must be installed (one on each side of the meter, provided by the City and included in fees paid by the customer) in each new residential meter pit.
- B. Removal and Replacement of Meters. The City has the right to remove and/or replace any water meter it deems necessary, and is held harmless for damage real or alleged, to service lines or private property caused by such work if reasonable care is exercised. Notice to replace defective or non-standard piping,

internal to the building or in the underground water service line, shall constitute reasonable care.

- C. Cost for Lost or Damaged Meter. The cost of any meter removed by persons other than City personnel, which becomes lost or not recoverable, including damage, neglect, abuse or frost or freezing damages, shall be charged to the property owner, or in the case of a temporary use meter, to the person who signed for the meter.
- D. Property Owner Responsibility. Customers are required to keep water meters protected in such a manner as to prevent freezing and/or other damage and the property owner will be held responsible for any such damage to the meter and/or service line.
- E. Accessibility to Meters. All water meters must be accessible to City personnel at all reasonable times. Failure to comply with this requirement will be cause for discontinued service, which will not be resumed until access has been restored to the satisfaction of the City. Each meter must be read at least once in each three-month period, except for extraordinary weather events, or accessed for City-initiated maintenance or replacement as desired by the City, or service may be discontinued if the consumer fails to make necessary steps to have the meter read or to provide access after he has been duly notified by the City.
- F. Meter Failure. If the meter fails to register, the consumer will be charged for the consumption as established by averaging the previous six months usage. Final consumption figures shall be calculated based on best professional judgment of the City staff if sufficient past data does not exist.
- G. Tampering with Meters. If the City finds a meter removed, a meter seal broken, or any by-pass inserted, or there is evidence that the meter has been tampered with, the water will be shut off and will not be turned on again until the consumer or owner of the premises has paid for the estimated quantity of water which has been used and not registered and all other associated fees, charges and costs as may be assessed, including penalties. The payment for unregistered water will not in any way relieve any person from possible criminal prosecution.
- H. Meter Testing. If a consumer wishes to have a water meter tested for accuracy, for any reason, he may attend and witness the meter test. Should the consumer be unable to attend the water meter test, he must accept the results of same as reported by the City. The consumer will be billed for a meter test charge if the meter test shows accuracy within the range of 98.5% to 101.5% of accurate registration. Meter testing shall be performed following AWWA C700 Standard. See Section 7.
- I. Meter, Tap and Service Line Size Determination. Determination of meter size, tap and service line sizes are the responsibility of the property owner or his agent, but subject to approval by the City prior to installation. Consultation with City officials is encouraged prior to designing or installing meters and service lines to determine appropriate sizing and application of the style of meter.

- J. Parts. The meter pit, all valving, strainers, backflow preventers, bypasses, and all other appurtenances required and associated with the water service line shall be installed by the property owner at his cost. All work shall meet all applicable specifications and regulations of the City. Water meters (5/8" through 1" in diameter) shall be installed only by City personnel. Meters 1-1/2" or larger may be provided to the property owner's plumber to facilitate installation in the bypass/meter pit installation.
- K. Auxiliary Meter Uses. Auxiliary meter uses may include, but not be limited to, registration of well water used on the premises that is discharged to the sanitary sewers, or irrigation system registration. The City must approve the use, location, and installation of every auxiliary water meter prior to its installation. The City shall inspect, test, repair or replace such meters as necessary with costs associated with purchase, maintenance, and replacement remaining the property owner's responsibility. All items regarding care and protection of such auxiliary meters and service lines shall carry the same responsibilities as all other meters and service lines.
- L. Hydrant meters. To obtain a hydrant meter, the customer must appear at the Billing and Collection Office, 100 S. Market Street, present a valid driver's license, provide billing information and pay appropriate fees. The customer will deliver the appropriate paper work and receipt to the Central Service and Maintenance Facility, 1400 Experiment Farm Rd. A meter and associated equipment, including backflow protection device, will be issued to the customer. The customer will be responsible for returning the meter once every thirty days to the Central Service and Maintenance Facility so that a proper consumption reading can be obtained. If the customer fails to provide the meter for reading every thirty days, the Billing and Collection office will prepare an estimated monthly bill based on the maximum possible consumption capacity for monthly usage for the meter, determined by the City. The customer will be responsible for ensuring prompt payment of all billings, and to return all equipment upon completion of project, or upon demand by the City. The customer will be responsible for any and all damage to equipment, and damage to equipment which renders the device unreadable will result in billing based on maximum possible consumption capacity for the period unread.
- M. Irrigation meters. All irrigation meters will be activated by City personnel at the time initially installed. Customer accounts will be established, and will remain active and subject to billing each month. Each year, the City will reconnect service to the irrigation systems between April 1<sup>st</sup> and April 15<sup>th</sup>, and will disconnect service to the irrigation systems between October 1<sup>st</sup> and October 15<sup>th</sup> (weather permitting). There will be no charge to the property owner for this City-scheduled service. During the periods of disconnection, no charge will be assessed to the property owner. Should the property owner request disconnection and/or reconnection of service on dates other than the City's scheduled dates as reflected herein, the property-owner requested disconnection and/or reconnection of service shall be subject to applicable fees to be paid by the property owner. Only City personnel may access the meter to perform the action of disconnection and/or reconnection of service. The property owner and/or his subcontractors are not authorized to perform this function. A backflow

prevention device is required in all instances to be installed in an irrigation system. The property owner is required to obtain an annual certification of backflow preventer and submit the certification to the Miami County Health District Office. Failure to obtain and remit the annual certification will result in disconnection of the irrigation meter, subject to applicable fees to be paid.

## **SECTION 10. Cross Connections / Backflow**

- A. **Cross Connections.** No person shall install or maintain a water service connection to any premises where actual potential cross-connections to the Troy public water system or a consumer's water system may exist unless such actual or potential cross-connections are abated or controlled to the satisfaction of the City. No person shall install or maintain a connection between the City's water system or consumer's water system and an auxiliary water system unless the auxiliary water system, the method of connection and the use of such system have been approved by the City. For purposes of backflow prevention, a City-approved device is required. No other device may be used without express advance permission and approval by the City.
- B. **Regulation Compliance.** All consumers of Troy water are required to comply with all local and state backflow prevention and cross-connection control regulations, and shall do so prior to having water service started. Local backflow prevention regulations are administered by the Miami County General Health District. State of Ohio (OEPA) regulations are found at Ohio Administrative Code (OAC) 3745-95. All provisions of OAC 3745-95 are applicable to the City's administration of its cross connection / backflow policy.
- C. **Control and Investigations.** Regarding cross-connection regulations, the following shall apply:
- i. Duly authorized representatives of the City shall have the right to enter at any reasonable time any property served by any connection, direct or indirect, to the public water supply of the City for the purpose of inspecting the piping system for cross-connection and/or backflow provisions thereof. On demand, the owner, lessees or occupants of any property so served shall furnish to the Director any information which he may request regarding the piping systems and any private, auxiliary or emergency water supply used or useful on such property. The refusal of such information, when demanded, shall be prima facie evidence of the presence of improper connections, backflow prevention, or other violations previously addressed.
  - ii. The Director is hereby authorized and directed to discontinue the water service to any property as may be deemed necessary to eliminate any danger of contamination or endangerment of the public water supply distribution system. Water service to such property shall not be restored until such connection or other violations shall have been eliminated or corrected in compliance with applicable regulations and to the satisfaction

of the City. Such compliance may include the installation of a backflow prevention device. The annual mandatory re-certification of such a device shall be the responsibility of the property owner. All costs incurred shall be the sole responsibility of the property owner.

## **SECTION 11. Water Emergency**

- A. Declaration. The Director or his designee may declare a water emergency. After such declaration, he may order any combination of restrictions or actions he deems necessary and appropriate related to outdoor water use or any other non-essential use of City-supplied water. An order containing the times/dates of the restrictions and a list of prohibited activities shall be announced as practical and appropriate. Such restrictions shall not apply to those using private sources of water. However, the burden of proof that the source is private shall be with the user. Any such order shall be effective immediately upon announcement. Violators may be cited by the City for violations of the Director's orders, including having water service to the premises terminated at the City's discretion.

## **SECTION 12. Sanitary Sewers**

- A. Applicability. Unless specified otherwise, the administration of collecting charges for sanitary sewer service are the same as outlined for water service as listed in Sections 1 through 8 of these Rules. Troy Codified Ordinance Chapter 915 shall apply to the use of the sanitary sewer system
- B. Service Contracting. Each person wishing to be provided with sanitary sewer service shall complete the necessary applications and agreements, and pay the required fees, with the City prior to being authorized to connect to or to receive sanitary sewer services.
- C. Installations. Each property shall be serviced by a single sanitary sewer lateral unless authorized specifically in writing by the City for multiple services. The lateral shall be constructed with materials and workmanship approved of and meeting the inspection requirements of the City. Each installation shall pass inspection by the City prior to it being placed into service. New private, on-site disposal systems are not authorized within the City.
- D. Maintenance of Sewer Lateral. The property owner shall maintain the sewer lateral from the building to the main sewer, including the tap into the main sewer. If the City determines that the condition of the sewer lateral between the building being provided service and the main sewer is leaking, allowing groundwater or other materials to enter the sewer system, or that may interfere with the maintenance and operation of the sewer system, or is allowing sewage to exfiltrate into the ground, the property owner shall make the necessary repairs to correct the condition within a reasonable timeframe as allowed or set by the City. Failure to make such repairs shall be cause for the discontinuance of water service to the premises.

- E. Sewer Charges Based on Water Meter Registration. Unless otherwise approved, the sewer charges billed to each account shall be based on the volume of water recorded on the customer's water meter. The City may approve sewer charges based on a sewer-only meter only under special circumstances and at the discretion of the City. When water charges are estimated for a given billing period due to unforeseen circumstances, the customer's sewer charge will be calculated on the estimated water use for that same period.
- F. Summer Sewer Averaging. Each customer's sewer charge on bills due in July, August, September and October of each year shall be based on the average sanitary sewer consumption as recorded for the non-Summer Sewer Averaging months during the prior September to May time period, so long as the customer has been the customer-of-record at that given location for that total time period. The average is recalculated each year. Averages do not move with a given customer to a different site, and apply only to individual residential unit accounts.
- G. Expansion of Sanitary Sewer System. All attachments, extensions, and improvements made to the Troy Sanitary Sewer System, including but not limited to mains, manholes, valves, meters, or service lines and control manholes at industries must satisfy all requirements of the City's Subdivision Regulations and Construction Standards, and all other requirements of the TCO. Municipal-Industrial Pretreatment Program requirements shall be met by all applicable property owner and tenants, who shall obtain all necessary approval and permits from the Wastewater Plant Superintendent and his Pretreatment Coordinator.

### **SECTION 13. Municipal Industrial Pretreatment Program (MIPP)**

The City's Industrial Pretreatment Program is outlined in Chapter 915 in the City's Codified Ordinances. Industrial customers must comply with the Chapter 915, and as amended from time to time, regarding discharge into the City's sanitary sewer system. Any applicable surcharge outlined in Chapter 915 shall be paid at rates as approved by City Council and amended from time to time.

### **SECTION 14. Indemnification**

The City shall be indemnified and held harmless in regards to property damage allegedly a result, whether direct or indirect, of the City maintaining and operating the water or sanitary sewer system.

## CERTIFICATION

Pursuant to the authority vested in me as Director of Public Service and Safety of the City of Troy, Ohio, by Section 743.02 of the Ohio Revised Code and Section 913.05 of the Codified Ordinances of the City of Troy, Ohio, the foregoing Rules and Regulations are hereby adopted and effective immediately this 2nd day of November, 2009.

\_\_\_\_\_  
/s/  
Patrick E. J. Titterington  
Director of Public Service and Safety  
City of Troy, Ohio